CF0000147272

Division Bench (Civil)

COURT FEE 20 Rs. भारत INDIA बीस रुपये TWENTY RUPEES

COURT FEE 5 Rs. भारत INDIA पाँच रुपये FIVE RUPEES

IN THE HIGH COURT OF MADHYA PRADESH AT JABALPUR.

M.P. NO. 2593 of 1992.

Petitioner :- Harbansh Singh Thakur, aged about 35 yrs s/o Shri Babulal Singh Thakur, Revenue Inspector, Special Area Development Authority Ratanpur Distt Bilaspur M.P. r/o Karehapara, Ratanpur Distt Bilaspur M.P.

- v e r s u s -

Respondents :- 1. State of Madhya pradesh through the Secretary ~~Nagar Prashashan~~ Bhopal.

2. Director Town Administration (Nagar Prashashan) Bhopal.

PETITION UNDER ARTICLE 226 READ WITH ART. 227 OF THE CONSTITUTION OF INDIA.

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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. No. 2599 of 1992

Petitioner	Harbansh Singh Thakur
Versus	
Respondents	State of Madhya Pradesh (now Chhattisgarh) & others

SB: Hon'ble Mr. Justice **Satish K. Agnihotri, J**

Shri Bhaskar Pyasi, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents/State.

ORDER

(Passed on this 19th day of February, 2007)

The following order of the Court is passed by **Satish K. Agnihotri, J.**

1. The petitioner while working as Revenue Inspector was transferred from Ratanpur to Kawardha vide impugned transfer order dated 25.7.1992 (Annexure E).
2. This Court vide interim order dated 8.8.1992 granted stay of the operation of the impugned transfer order.
3. It is well settled principle of law that transfer is an incident of service and it is for the employer to decide as to where a particular officer/employee be posted keeping in view public interest as well as administrative exigency. This Court has limited jurisdiction to interfere in the transfer matter and this Court can interfere only in the case of proved malafide, non-competence of authority passing the transfer order and transfer order not being in conformity with the rules and regulations.
4. Be that as it may, with the passage of time this petition has become infructuous as period of transfer is not applicable forever. The respondents are at liberty to pass appropriate orders keeping in view the public interest and administrative exigency.
5. In view of the above, this petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur